



# **Land Disturbance Permit Application Package**

*(Residential and Multi-family Dwellings)*

*Revised May 2007*

**EROSION AND SEDIMENT CONTROL PLAN**  
**SUBMISSION CHECKLIST**

This application package is designed to ensure that regulated land disturbing activities occur only after approval of an erosion and sediment control plan. The erosion and sediment control application is not considered complete unless all the required information listed below is present. If any part of the required information is missing, the application will not be accepted by the Town of Stephens City, administration.

- \_\_\_\_\_ 1. Completed Land Disturbance Permit Application
  
- \_\_\_\_\_ 2. Completed Agreement in Lieu of an Erosion and Sediment Control Plan form provided in the land disturbance permit application package.
  
- \_\_\_\_\_ 3. Check for land disturbance permit (make check payable to Town of Stephens City, Virginia).
  
- \_\_\_\_\_ 4. Bonding not required for single family/multi-family dwellings.

**Note: Applicable fee required for all land disturbance permit applications.**

## **ACTIVITIES REQUIRING AND EROSION AND SEDIMENTATION PLAN**

An Erosion and Sedimentation Plan must be submitted, reviewed and approved before a land disturbance permit will be issued by the Town of Stephens City. A permit is required for any land disturbing activity. A land disturbing activity is defined as: Any land change which may result in soil erosion from water or wind or the movement of sediments into State waters or onto lands in the Commonwealth, including, but not limited to clearing, grading, excavating, transporting and filling of land.

Only those land disturbing activities specifically exempted by definitions of the Town of Stephens City Code, Chapter 5, Erosion and Sediment Control Ordinance, may be conducted without first obtaining a permit. These exempted activities are:

1. Minor land-disturbing activities such as home gardens and individual home landscaping, repairs and maintenance work;
2. Individual service connections;
3. Installation, maintenance, or repair of any underground public utility lines when such activity occurs on an existing hard surfaced road street, or sidewalk provided such land-disturbing activity is confined to the area of the road, street or sidewalk which is hard surfaced;
4. Septic tank lines or drainage fields unless included in an overall plan for land disturbing activity relating to construction of the building to be served by the septic tank system;
5. Surface or deep mining;
6. Exploration or drilling for oil and gas including the well site, roads, feeder lines, and off-site disposal areas;
7. Tilling, planting, or harvesting of agricultural, horticultural, or forest crops, or livestock feedlot operations; including engineering operations and agricultural engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds not required to comply with the Dam Safety Act, Article 2, ( Sec. 10.1-604 et. seq.). Chapter 6 of the Code of Virginia, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation. However, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (Sec. 10.1-1100 et.seq.) of this title or is converted to bona fide agricultural or improved pasture use as described in Subsection B of Section 10.1-1163 of the Code of Virginia;
8. Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities and other related structures and facilities of a railroad company;
9. Disturbed land areas of less than 10,000 square feet in size with the exception of lots located within a subdivision (including rural subdivisions);
10. Installation of fence and sign posts or telephone and electric poles and other kinds of posts and poles;
11. Shore and erosion control projects on tidal waters when the projects are approved by local wetlands boards, the Marines Resources Commission or the United States Army Corps of Engineers; and
12. Emergency work to protect life, limb or property, and emergency repairs; provided that if the land disturbing activity would have required an approved erosion and sediment control plan. If the activity

were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the plan-approving authority.

## **PROCEDURES FOR OBTAINING A LAND DISTURBANCE PERMIT**

### ***(SINGLE FAMILY AND MULTI-FAMILY DWELLING REQUIREMENTS)***

1. Submit information indicated on Page 2 of this application package.
2. Provide the “Responsible Land Disturber” (R.L. D.) information for the project which shall include, name, certificate number and date of expiration.
3. Phase one of erosion and sediment control measures will consist of performing only the land disturbing activity necessary to implement the erosion and sediment control measures in accordance with the approved plans.
4. Contact the Town Administrator or Town Planner to schedule the required erosion and sediment control measures inspections as indicated by the program administrator.
5. Periodic inspections will be performed by Town Administrator or designee’s to ensure that the erosion and sediment control measures are maintained in accordance with the approved plan throughout the life of the project.
6. Prior to release of building permits, the following item(s) shall be completed:
  - A.) A proposed lot grading plan is required by the Town of Stephens City prior to the release of building permit(s) for RP subdivisions. The plan will meet the intent of the original site plan submitted by the developer. It is required that the developer provide the builder/ owner a copy of the original engineered site grading plan for the particular subdivision.
  - B.) It will be necessary to submit a certified as-built plan for all lots on which proposed lot grading plans were required. The certified as-built plan shall indicate the following: properly annotated boundary lines; set-back lines; proposed house footprint; off-sets to house; existing grading; spot shots as necessary to show positive drainage; proposed driveway; proposed floor elevation to include basement, first floor and garage; and erosion and sediment controls if required. The as-built plan shall be accompanied by a document prepared by qualified professional certifying that the as-built conditions meet the intent of the approved site grading plan. The proposed lot grading plan and the as-built survey shall be submitted to the Town Administrator or designee prior to release of the final certificate of occupancy.

**AGREEMENT IN LIEU OF AN EROSION AND SEDIMENT CONTROL PLAN FOR  
EROSION AND SEDIMENT CONTROL OF LAND DISTURBING ACTIVITY ON AN  
INDIVIDUAL LOT OF RESIDENTIAL SUBDIVISION**

**Land Disturbance Permit #:** \_\_\_\_\_  
(To be completed by the Plan Approving Authority)

**Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Location:** \_\_\_\_\_  
(Subdivision and Lot #)

**Address:** \_\_\_\_\_

**Disturbed Area =** \_\_\_\_\_ **sq. ft.**

**RLD Name:** \_\_\_\_\_  
(Responsible Land Disturber)

**Cert. #:** \_\_\_\_\_  
(RLD)

**LAND OWNER:**

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Daytime Phone Number*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

**APPLICANT: (if not owner)**

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Daytime Phone Number*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

In lieu of submission of an erosion and sediment control plan for the construction of this single family dwelling, I agree to comply with any reasonable requirements determined necessary by Town Administrator or designee. Such requirements shall be based on the conservation standards contained in Chapter 5 of the Erosion and Sediment Control Ordinance in the Stephens City Town Code; the Source Water Protection Overlay District in Article III, Division 13 of the Town of Stephens City Zoning Ordinance and shall represent the minimum practices necessary to provide adequate control of erosion and sedimentation on or resulting from this project.

I further understand that failure to comply with such requirements following notice by the Town could result in a citation for violation of Chapter 5 of the Erosion and Sediment Control Ordinance in the Stephens City Town Code or the Source Water Protection Overlay District in Article III, Division 13 of the Zoning Ordinance for the Town of Stephens City.

**Typical erosion and sediment control measures for residential lot:**

1. Perimeter Control: The disturbed area must be completely enclosed by a silt-trapping device such as silt fence, or other approved material.
2. All drainage inlets and structures on site or adjacent to the site must be protected during construction.

3. Drainage patterns should not be affected to the detriment of neighboring lots.
4. Prevent transport of mud and sediment by vehicular tracking onto the paved public roadway.
5. All denuded areas on the lot shall:
  - a. Be stabilized within seven (7) days of the final grading with permanent vegetation or a protective ground cover suitable for the time of year;
  - b. Receive temporary soil stabilization if not at final grade but will remain dormant for longer than 30 days;
  - c. Receive permanent stabilization if they are to be left dormant for more than one year.
6. Control waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste.
7. Other additional measures may be required depending on the site-specific conditions.

**NOTE:**

- All specified erosion and sediment control measures must be placed prior to or as the first step in construction.
- The Town Administrator or designee will periodically inspect the site to insure compliance with the erosion and sediment control regulations.
- The Contractor shall inspect all erosion control measures periodically and after each run-off producing rainfall event. Any necessary repairs or cleanup to maintain the effectiveness of the erosion control devices shall be made immediately.
- The permit may be revoked if the project is found to not be in compliance with the conditions of the "Agreement" and corrective measures as set forth by the inspector for the Town of Stephens City are not implemented or addressed in a timely manner.
- A certified as-built plan must be submitted to the Town Administrator or designee prior to the release of the final certificate of occupancy for the single family residence. The certified as-built plan shall indicate the following: properly annotated boundary lines, set-back lines, house footprint, existing grading with spots as necessary to show positive drainage, driveway, floor elevations to include basement, first floor and garage. The as-built plan shall be accompanied by a document prepared by a qualified professional certifying that the as-built conditions meet the intent of the approved site grading plan.

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Agreement Approved:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_  
(Town Administrator)

All questions pertaining to the Town of Stephens City erosion and sediment control requirements, inspections, and Land Disturbance Permits should be directed to:

Town of Stephens City

1033 Locust Street

## **FREQUENTLY ASKED QUESTION (FAQ'S) ON THE REQUIREMENT TO NAME A RESPONSIBLE LAND DISTURBER ON THE LAND-DISTURBING PERMIT**

### **Must erosion and sediment control plan, agreement in lieu of plan, and land-disturbing permit applicants name a Responsible Land Disturber?**

**Yes** – The applicant must provide to the Plan-Approving Authority the name of an individual holding a valid Responsible Land Disturber Certificate who will be responsible for the land disturbing activity as a condition of approval for all erosion and sediment control plans, agreements in lieu of a plan, or land-disturbing permits.

### **Who is the Responsible Land Disturber and what does he/ she do?**

The responsible land disturber can be anyone from the project team or development team holding a valid Responsible Land Disturber Certificate and who will be in charge of and responsible for carrying out the land disturbing activity for the project.

### **Who is ultimately responsible for the land disturbing activity?**

The landowner is still ultimately responsible for all land disturbing activities on a project.

### **Who ensures that the plan, agreement in lieu of plan or land disturbing permit applicant provides the name of a Responsible Land Disturber?**

The Plan-Approving Authority (local government) shall ensure that the name of a Responsible Land Disturber is provided before approving the plan, agreement in lieu of plan or land-disturbing permit.

### **How can the Plan-Approving Authority ensure that the certification information given by an applicant is correct?**

The Virginia Department of Conservation and Recreation (DCR) will make available on its website at [www.dcr.virginia.gov](http://www.dcr.virginia.gov) a list of individuals recognized as Responsible Land Disturbers, their certificate numbers, and their certificate expiration dates.

### **How can I obtain a Responsible Land Disturber Certificate?**

DCR has developed a certification program that provides learning materials and an examination to obtain a Responsible Land Disturber Certificate. This is available via the website at [www.dcr.virginia.gov](http://www.dcr.virginia.gov) .

### **Can I be considered a Responsible Land Disturber if I've already obtained a different certification from DCR?**

**Yes** – Individuals holding valid Combined Administrator, Program Administrator, Plan Reviewer, Inspector, and Contractor Certificates will be considered Responsible Land Disturbers without further training, certification or fees. Their names, certificate numbers and certificate expiration dates can be verified on DCR's website. Please note that the Responsible Land Disturber shall be a member of the

project team or development team not an employee of the Plan-Approving Authority or local government.

**Can I be considered a Responsible Land Disturber if I have a Virginia Professional Engineer, Land Surveyor, landscape Architect, or Architect License?**

**Yes** - An individual holding a valid Virginia Professional Engineer, Land Surveyor, Landscape Architect, or Architect's license will be considered a Responsible Land Disturber without further training, certification or fees. Their names, license numbers and license expiration dates can be verified at the Virginia Department of Professional and Occupational Regulation's site, [www.dpor.state.va.us/regulantlookup/](http://www.dpor.state.va.us/regulantlookup/).

**What happens to erosion and sediment control plans, agreements in lieu of plan, or land-disturbing permit applications that do not provide a Responsible Land Disturber's name?**

They would be deemed incomplete and not approved until the proper information is provided.